

00766.000043

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: Joseph T. Woitach
AKIHIRO UMEZAWA, ET AL.)	
	:	Group Art Unit: 1632
Application No.: 09/749,728)	
	:	Confirmation No. 6784
Filed: December 28, 2000)	
	:	
For: THE CELL HAVING THE)	
POTENTIALITY OF	:	
DIFFERENTIATION INTO)	
CARDIOMYOCYTES	:	December 7, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO ACCEPT AN UNINTENTIONALLY DELAYED BENEFIT CLAIM

Sir:

Applicants hereby petition the commissioner to accept an unintentionally delayed benefit claim in the above-identified application. Applicants are seeking recognition that this application is a continuing application of prior application PCT/JP00/01148.

Previously, Applicants did claim benefit of that PCT application in their original Declaration but did not submit papers stating this application was a continuing application.

A certified copy of PCT/JP00/01148 was filed August 6, 2003. The Patent Office recognized that claim in the original official Filing Receipt. Applicants'

specification was thereafter amended to refer to the prior PCT application on January 13, 2005.

A corrected application data sheet accompanies this paper, together with a depository account payment of \$1,370.00 to cover the surcharge under 37 CFR 1.17(t) has been paid concurrently herewith. Please charge any additional fee required for the extension, and credit any overpayment, to Deposit Account 06-1205.

The entire delay between the date the benefit claim was due under 37 CFR 1.78(a)(2) or (a)(5) and the date the claim was made was unintentional.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Lawrence S. Perry/
Lawrence S. Perry
Attorney for Applicants
Registration No. 31,865

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

LSP\ac

NY_Main 590704_1